

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
ADMINISTRATIVE ADJUDICATION DIVISION**

**RE: SHERER, MARK H.**

**AAD No. 01-001/F&WA**

**FINAL ORDER OF DISMISSAL**

This matter came before the Hearing Officer for a prehearing conference on March 7, 2003. Applicant failed to comply with the Prehearing Order or otherwise apprise the Hearing Officer of his inability to appear at said prehearing conference. On March 7, 2003, this Hearing Officer issued a Conditional Order of Dismissal affording Applicant until March 17, 2003 to show good cause in writing why a Final Order of Dismissal should not enter and the denial of his request to transfer a Summer Flounder Landing Exemption Certificate become final. As of the date of this order, no objection to the Conditional Order of Dismissal has been received, nor has any correspondence been received by the Administrative Adjudication Division in response to the Conditional Order of Dismissal.

Therefore, it is hereby

**ORDERED**

That the appeal of Mark Sherer from a denial of a transfer of a Summer Flounder Landing Exemption Certificate is DISMISSED, with prejudice.

Entered as an Administrative Order this 19<sup>th</sup> day of March, 2003.

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Kathleen M. Lanphear  
Chief Hearing Officer  
Administration Adjudication Division  
235 Promenade Street, Third Floor  
Providence, RI 02908  
(401) 222-1357

Entered as a Final Agency Order this 21<sup>st</sup> day of March 2003.

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Jan H. Reitsma  
Director  
Department of Environmental Management  
235 Promenade Street, Fourth Floor  
Providence, Rhode Island 02908

**CERTIFICATION**

I hereby certify that I caused a true copy of the within Order to be forwarded by first-class mail, postage prepaid, to Nicole J. Cournoyer, Esquire, Revens, Revens & St. Pierre, 946 Centerville Road, Warwick, RI 02886 and Gary Powers, DEM - Division of Fish & Wildlife, Oliver Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI 02879; via interoffice mail to: Gerald McAvoy, Esquire, Legal Services, 235 Promenade Street, 4<sup>th</sup> Floor, Providence, RI 02908, on this \_\_\_\_\_ day of March, 2003.

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